

## WARREN COUNTY BOARD OF SUPERVISORS

### COMMITTEE: PUBLIC WORKS (DPW, AIRPORT AND PARKS, RECREATION & RAILROAD)

DATE: FEBRUARY 26, 2008

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS BELDEN  
BENTLEY  
TESSIER  
STEC  
MERLINO  
HASKELL  
CHAMPAGNE  
TAYLOR  
GOODSPEED

**OTHERS PRESENT:**

REPRESENTING DPW & AIRPORT:

WILLIAM LAMY, SUPERINTENDENT

JEFFREY TENNYSON, DEPUTY SUPERINTENDENT OF  
ENGINEERING

REPRESENTING PARKS, RECREATION & RAILROAD:

PAUL BUTLER, DIRECTOR

TIM BENWAY, RECREATION FACILITIES MANGER

FREDERICK MONROE, CHAIRMAN

PAUL DUSEK, COUNTY ATTORNEY

HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL  
SERVICES

JOAN SADY, CLERK

JOANN MCKINSTRY, DEPUTY COMMISSIONER OF  
ADMINISTRATIVE & FISCAL SERVICES

SUPERVISORS GERAGHTY

O'CONNOR

STRAINER

THOMAS

VANNESS

TODD LUNT, DIRECTOR OF HUMAN RESOURCES

FRED AUSTIN, BUILDING PROJECT COORDINATOR

KIM LUSSIER, EMPIRE EAST AVIATION, INC.

GEORGE THURSTON, PARTNERSHIP SALES OPERATION

JOE SCHWERMANN, WARREN COUNTY RESIDENT

TOM RANDALL, *THE ADIRONDACK JOURNAL*

AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

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Mr. Belden called the meeting of the Public Works Committee to order at 9:30 a.m.

Motion was made by Mr. Merlino, seconded by Mr. Champagne and carried unanimously to approve the minutes from the February 1, 2008 Public Works Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to William Lamy, DPW Superintendent, who distributed copies of the DPW agenda to the Committee members. *A copy of the DPW agenda is on file with the minutes.*

Mr. Lamy advised that although he normally would not address the Budget Performance Report until the end of the quarter, he felt it was important to do so at this meeting to give the Committee members an accurate picture of the current Budget standings, due to the number of winter storms occurring thus far for 2008. Beginning with the Snow and Ice Overtime Budget, he apprised that although an additional \$45,000 had been included in this budget for 2008, they had already consumed 1,000 more overtime hours than they

had at this time in 2007. He added that approximately \$102,000 of the \$190,000 budgeted for overtime costs in 2008 had already been consumed. Mr. Lamy noted that a considerable amount of overtime costs had been incurred between February 17<sup>th</sup> and April 15<sup>th</sup> of 2007, when many winter storms had occurred, and he hoped that the bulk of the costs were simply being incurred earlier in 2008 than they had in 2007. Mr. Lamy noted that although the DPW employees were doing a tremendous job with snow removal, overtime costs were accumulating due to the number of winter storms that had occurred, as well as their severity.

Mr. Lamy stated that he was also concerned with the possibility of shortages in the Fuel Budget. He noted that by the close of 2007 they had required an additional appropriation of \$12,000 to account for fuel costs and, as such, he had requested an increase of \$25,000 to this Budget for 2008. Mr. Lamy stated that the 2008 Fuel Budget had been reduced by \$25,000 for 2008, regardless of his request and increasing fuel prices, which had already risen above the costs projected. He said that although there was not yet a deficit, he wanted the Committee to be aware of the matter as the Fuel Budget requested for 2008 had been reduced by \$50,000 and he was sure it would be depleted prior to the close of 2008. Mr. Lamy added that increased time spent on snow and ice operation would lead to increased fuel usage also, further straining the Budget.

Similar issues were also present in the Machinery-Supplies and Repairs Budget, Mr. Lamy advised. He pointed out that this code too had been reduced, regardless of the fact that they had come very close to expending the total budgeted for 2007. He said that although he hoped that the purchase of new machinery and equipment would lead to decreased repair costs, he could not certify that the amount budgeted would be sufficient to fund all of the costs incurred for 2008.

Mr. Lamy advised that the final Budget issue for discussion referred to funding for bridge maintenance. He reminded the Committee that they had previously approved a Bridge Maintenance Fund for inclusion in the 2008 Budget to address local bridges not included in the Federal and State grant reimbursement programs. Mr. Lamy explained that the Budget was to earmark \$250,000 each year from 2008 through 2010 for bridge maintenance; however, he said, in reviewing the Budget and discussing the matter with Hal Payne, Commissioner of Administrative & Fiscal Services, he had found that this funding was not included in the Budget. Subsequent to discussion with Mr. Payne as to how this matter should be rectified, he had directed Jeffrey Tennyson, Deputy Superintendent of Engineering, to review the bridge repair program to be sure that the bridge maintenance had been prioritized and to determine the amount necessary for the repairs. Mr. Lamy stated that in recent discussions with Mr. Payne and Joan Sady, Clerk of the Board, it had been suggested that the funding needed for bridge repairs in 2008 could be included in the bonding process for other projects. He noted that, currently, there were no bridges that needed to be closed due to their condition, and those requiring extensive repairs were included in the Federal and State grant reimbursement programs. Mr. Lamy added that the Bridge Maintenance Fund had been intended to allow for preventative maintenance to extend the service life of the bridges, thereby delaying replacement.

Mrs. Sady advised that if the Committee authorized bonding of the bridge maintenance funding a complete listing of bridge maintenance requirements and costs would be needed. She added that because the County was charged a fee each time they bonded, it was fiscally prudent for the County to bond as many projects together as possible.

Mr. Belden pointed out that during negotiations for the 2008 Budget they had requested that the full

\$750,000 be placed in the Bridge Maintenance Fund for use over three years; however, he said, the Budget Officer had decided that only \$250,000 should be placed in the code for each of the three years, a suggestion which was agreed upon with Mr. Lamy. Mrs. Sady stated that she did not think that this funding was intentionally removed from the 2008 Budget, but rather had been inadvertently left out. Mr. Belden said that it was important that the bridges be maintained and therefore the funding required for bridge maintenance should be bonded.

Mr. Champagne asked if the bridge maintenance was required for 2008 or if it could be addressed in the 2009 Budget. Mr. Lamy replied that in his opinion the repairs were necessary for 2008 and that the money spent would save funds for the County in the future. He added that Mr. Tennyson and George VanDusen, Project Engineer, had determined that there were bridges requiring structural work to remain safe. Mr. Lamy stated that if the preventative maintenance was not done the County ran the risk of having to close bridges if they did not meet with safety standards during State inspections.

Mr. Lamy apprised that they had stripped a bridge for re-painting, at which point they became aware that the old paint contained asbestos, requiring that all work be stopped and an asbestos remediation program be developed. He said that although the remediation process was ongoing, the bridge would deteriorate more quickly than others because it was now bare.

Mr. Champagne stated that he was not in favor of bonding bridge maintenance costs as it did not present a good picture for the County. Mr. Belden agreed that he also did not like the idea of bonding bridge maintenance; however, he said, he saw no other option to secure the funding needed to address these issues. Mrs. Sady reminded the Committee that they would only be bonding the maintenance costs necessary for 2008 and that the necessary funding would be included in the 2009 Budget. She added that Committee action would be required to refer this matter to the Finance Committee for approval in order to include the costs in the bonding process.

Motion was made by Mr. Goodspeed, seconded by Mr. Tessier and carried by majority vote, with Mr. Champagne voting in opposition, to approve the request for funding in the amount of \$250,000 for rehabilitation of certain County bridges in 2008, with the requested funding to be included in an upcoming bond, and to refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Messrs. Stec and Thomas entered the meeting at 9:40 a.m.

Resuming the agenda review, Mr. Lamy advised that page four included a request to establish Capital Project No. H283.9550 280, Public Works Equipment. He explained that this action was necessary as the funding that would be received through bonding the equipment purchases had to be placed in a Capital Project for both the 2008 and 2009 purchases. Mr. Lamy pointed out that as the bonding resolution was developed there were different categories that identified where equipment was purchased and also indicating a service life for different types of equipment. He explained that when they determined the total figure it had covered all of the equipment purchased; however, he noted, as it was broken down into the different codes they found that some of the equipment had been included in the wrong category and therefore the categorization of some of the equipment needed to be modified. In addition, Mr. Lamy advised, when the calculations for the total amount to be bonded were done there had been a mathematical error which omitted one tandem truck. He stated that the request presented would have to be amended to include the correct total and also

the correct equipment categorization, as per the Treasurer's Office, all of which he would have ready for presentation prior to the Finance Committee meeting scheduled for March 12<sup>th</sup>.

Mr. Goodspeed asked if the revisions noted by Mr. Lamy would affect the total of the bond and Mr. Lamy replied affirmatively, advising that the figure would increase from the \$2.3 million listed on his request to a figure closer to the \$2.5 million originally approved for equipment purchases. Mr. Lamy reiterated that they were not adding equipment to the bonding schedule, but rather correcting the total to include the cost of the tandem truck which was mistakenly omitted.

Mr. Belden asked what the cost of the tandem truck was and Mr. Lamy replied that it was approximately \$185,000, including the plowing and sanding attachments.

Mr. Taylor expressed his concern that equipment with a short service life might be included in the bonding process, which was not appropriate. Mr. Lamy advised that he had compiled a considerable amount of information regarding the equipment being purchased through the bond, including the service life and bonding terms. He added that in a prior workshop meeting held in 2007, a schedule had been developed to determine bonding terms by value. Mr. Lamy explained that equipment in a price range less than or equal to \$15,000 would be bonded for five years, while equipment valued in the range of \$15,000 - \$30,000 would be bonded for ten years and equipment valued greater than \$30,000 would be bonded for 15 years.

Motion was made by Mr. Goodspeed, seconded by Mr. Tessier and carried unanimously to approve the request to create Capital Project No. H283.9550 280, Public Works Equipment, as outlined above and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Lamy directed the Committee members to page five of the agenda which reflected a request for a transfer of funds as follows:

<u>From Code:</u>	<u>To Code:</u>	<u>Amount:</u>
General Fund Unappropriated	DM5130 260 Road Machinery -	\$36,000
Fund Balance	Other Equipment	

Mr. Lamy reminded the Committee during their previous meeting he had presented a list of equipment, totaling \$159,375, which was necessary, but had not been included in the bond for equipment purchases. He added that the Committee had approved a transfer of funds in the amount of \$100,000, with the understanding that the County Attorney would review the list to determine if some of the items could be included in the bond to reduce the total needed. Mr. Lamy advised that since their last meeting the County Attorney had reviewed the list and determined what equipment could be transferred to the bond, as well those inappropriately included. Subsequently, he said, it had been determined that a total of \$36,000 was necessary, in addition to the previous \$100,000 which had been transferred, to purchase the items they were not able to bond.

Motion was made by Mr. Tessier, seconded by Mr. Bentley and carried unanimously to approve the request for a transfer of funds as outlined above and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Lamy advised that on page seven of the agenda, he had included a request to award contracts to the low bidders for bituminous concrete (*asphalt*). He noted that the bid tabulation sheets were also included in the

agenda and identified low bidders by project location and asphalt type. Mr. Lamy said that in reviewing the bids he had determined that the amounts were relatively close to the figures received for 2007.

Motion was made by Mr. Stec, seconded by Mr. Tessier and carried unanimously to approve the request to award contracts to the low bidders for bituminous concrete (WC-27-08), (*as previously authorized by Resolution No. 173 of 2007*), and the necessary resolution was authorized for the March 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

As they were discussing asphalt bids, Mr. Lamy stated, he wanted to mention that when they began developing the 2009 Budget they should seriously consider the condition of County roads. He said that he had driven many of the County roads in the past weeks and discovered that some of the more remote locations were in poor condition, regardless of the amount of money that was being appropriated for road repair. Mr. Lamy noted that winter had taken its toll on the roads, some of which required serious repair. Mr. Belden agreed with this statement, adding that these issues should be addressed when developing the 2009 Budget. Mr. Bentley pointed out that many of the roads required reconstruction rather than paving, which seemed to be a waste of time. Mr. Lamy replied that they had been reconstructing the worst of the County's roads, which was an expensive proposition; however, he said, the longer annual maintenance was delayed, the closer they came to required reconstruction.

Mr. Lamy advised the Committee members that agenda page 12 consisted of a letter from NYSDEC (New York State Department of Environmental Conservation) requesting the County's assistance in constructing additional loop roads and campsite installations at the Scaroon Manor recreation area in the Town of Chester. He said that this was certainly not something that he wanted to involve the County in without the Committee's direction and he preferred to address this request as time permitted, completing County and Town needs first.

Mr. Belden noted that the County had previously given such assistance and he asked whether the County or the State had purchased the pavement for the loop roads and paving projects in the past. Mr. Lamy replied that as per his recollection the State had purchased the pavement; however, he said, he would have to research the matter to determine exactly how the agreement had worked out. Mr. Belden asked Mr. Lamy to research the matter and determine exactly what would be required of the County if they chose to appease the NYSDEC request, as well as the amount of time the project would take, for presentation at a future Committee meeting.

Mr. Lamy apprised the Committee that he had received a request from ORDA (Olympic Regional Development Authority) to look into the addition of a turning lane on Peaceful Valley Road where it met with State Route 28. Although he said he had not visited the area as of yet, he suspected that the lack of a turning lane was causing traffic congestion towards the end of the day. Mr. Goodspeed apprised that from approximately 3 p.m. to 5 p.m. during popular skiing days there could be traffic back-ups approaching one-half of a mile in length. He said that a turning lane would create a traffic flow in a southerly direction, which was where the bulk of the activity was directed, alleviating congestion issues. Mr. Goodspeed pointed out that State Route 28 had been widened considerably in the late 1960's to accommodate a turning lane onto Peaceful Valley Road. Mr. Lamy advised that if the Committee was in agreement with the addition, the first step would be to review ROW (right-of-way) issues to determine if property was available to facilitate the turning lane, followed by the development of an estimate of cost for the project. He said that he did not think this was a project that could be done in 2008; however, he noted, it could be included in a future Budget. Mr. Goodspeed advised that he believed this issue was identified in the EIS (Environmental Impact

Study) discussed in another Committee meeting as one of the pressure points for the Burnt Ridge Project at Gore Mountain and he added that traffic issues would be further aggravated once this Project was completed.

Motion was made by Mr. Goodspeed, seconded by Mr. Champagne and carried unanimously to authorize Mr. Lamy to review the possibility of including a turning lane on Peaceful Valley Road as outlined above, and to determine the ROW issues, requirements and costs for the project for presentation to the Committee.

Mr. Lamy asked if there was any opportunity for cost-sharing with ORDA and Gore Mountain for the project and Mr. Goodspeed replied that there might be. Mr. Goodspeed added that there also might be a ROW issue as the owner of the property with which the road abutted was facing significant publicized issues. On the other hand, he said, the existing road was very wide and, in his opinion, they might be able to do something very significant with minimal intrusion. Mr. Belden advised that Mr. Lamy should work with Mr. Goodspeed to determine what could be done to include the requested turning lane and return to the Committee with his findings.

Continuing with the agenda review, Mr. Lamy directed the Committee members to page 14 of the agenda which included a letter received from NYSDOT (New York State Department of Transportation) regarding their review and evaluation of the signals in place on State Route 9 at Northway Exit 20 and the intersection of State Route 149. He explained that the letter included a lengthy explanation of the turning movements and operations and noted that although some adjustments were made, none would alleviate the summer traffic congestion along that route. Mr. Lamy apprised that currently there was a plan in place at the Adirondack-Glens Falls Transportation Council to issue an RFP (Request for Proposal) to have an engineer review the entire area and give recommendations on what could be done to resolve the prevailing traffic issues. He noted that he did not think these issues could be resolved without major construction.

Mr. Lamy advised that agenda page 17 consisted of a letter from the Town of Queensbury advising that the Queensbury Town Board was considering establishing the Central Queensbury Quaker Road Sewer District Extension #11 - Baybridge Drive and had scheduled a public hearing to discuss the matter. In addition, he noted, the letter asked for the County's agreement that the Queensbury Town Board would act as Lead Agency on this project. Mr. Lamy stated that he was unsure if a resolution was necessary regarding this matter, but said that he would prepare a resolution request if it was needed.

Mr. Stec said that the public hearing had already been held and he did not think a resolution was necessary. He explained that if the Queensbury Town Board did not receive notification from the County within the 30-day time frame they would automatically assume the role of Lead Agency. However, Mr. Stec added, they would certainly appreciate a letter of support from the County.

Motion was made by Mr. Bentley, seconded by Mr. Merlino and carried unanimously in support of the Queensbury Town Board acting as Lead Agency for the Central Queensbury Quaker Road Sewer District Extension #11 - Baybridge Drive.

Mr. Belden asked Mr. Lamy to contact the County Attorney's Office to determine if a resolution was necessary.

Moving on, Mr. Lamy advised that the next agenda item pertained to the Market Street Bridge in the Town of Horicon and he asked Mr. Tennyson to address this item. Mr. Tennyson stated that the request to amend

the contract with R & B Contracting, included on page 18 of the agenda, was relative to retaining wall work that was done during the previous fall and early winter season. He said that the project had started out as a rehabilitation of the retaining wall; however, he noted, it had turned into practically a full replacement project. Mr. Tennyson explained that as construction continued and the nature of the work changed, they had required the use of additional equipment not included in the original contract, which had a specific breakdown of equipment and labor rates. He apprised that they had required the use of additional pumps and also had to tent and heat the retaining wall during concrete pouring. Mr. Tennyson said that in order to proceed in forwarding payment to R & B Contracting for the services provided, both the Purchasing Department and the County Attorney's Office had determined that a resolution was necessary to amend the original contract to include additional costs of \$2,577 for the unforeseen expenses. He added that the additional funds were available within the existing Budget.

Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried unanimously to approve the request to amend the contract with R & B Contracting in the amount of \$2,577 and the necessary resolution was authorized for the March 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson then referred the Committee members to page 20 of the agenda which included a request for a new contract with NYSDEC relative to the Environmental Protection Fund grant for implementation of the Municipal Separate Storm Sewer System (MS4) regulations. He noted that the agenda included a copy of the draft resolution required by NYSDEC to complete the grant contract process that had begun with Resolution No. 334 of 2006.

Mr. Belden asked how much grant funding would be received and Mr. Tennyson replied that the grant was for approximately \$9,000 for reimbursement of administrative costs. He added that although the funds had essentially already been granted, the resolution requested was necessary to complete the process.

Motion was made by Mr. Tessier, seconded by Mr. Taylor and carried unanimously to approve the request for a new contract with NYSDEC to complete the Environmental Protection Fund grant process as outlined above and the necessary resolution was authorized for the March 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Paul Dusek, County Attorney, entered the meeting at 10:02 a.m.

Mr. Lamy advised that page 24 of the agenda reflected a letter received from Mr. Dusek regarding the Luzerne Road PCB Landfill site and he asked Mr. Dusek to address this item. Mr. Dusek stated that he had no update for the Committee on this issue. He added that this was only a notification which they were required to disclose to the Committee, as per NYSDEC. Mr. Dusek said that both the letter and the accompanying NYSDEC Fact Sheet required presentation to the Committee so that if they received questions from the public they would have the appropriate information on hand to answer them.

Concluding the agenda review, Mr. Lamy proceeded to the referrals from prior Committee meetings, which he detailed as follows:

- 1) Regarding the Corinth Road Reconstruction Project, Mr. Lamy advised that the Project was progressing and a joint public hearing with the Town of Queensbury had been scheduled for March 19<sup>th</sup> at 6:30 p.m. at the West Glens Falls Fire Station. Mr. Stec apprised that the Queensbury Town Board had passed a resolution setting the date of the public hearing at their last meeting and they would be in attendance. Mr. Lamy stated that he and Mr.

Tennyson would also be attending the public hearing and he suggested that any interested Supervisors attend.

Mr. Champagne asked if the public hearing was necessary to address only those property owners not wishing to sell ROW property to the County for the Project and Mr. Tennyson replied in the negative. He explained that the County had held a public hearing relating to ROW acquisition previously; however, he said, because State Eminent Domain Laws had changed a second public hearing was necessary to comply. Mr. Stec added that because the Town of Queensbury had not yet held a public hearing on the matter, but were required to do so, they felt it was best to hold a joint public hearing, rather than two separate ones. Mr. Tennyson stated that they were now in the process of sending out a legal notice for the public hearing and would be working with the Queensbury Town Board to develop an agenda and also to determine how the meeting would be recorded.

Mr. Lamy apprised that another issue being worked on between the County, Town of Queensbury and the project engineer, Clough Harbour Associates (CHA), was to be sure that compliance with all SEQRA (State Environmental Quality Review Act) and NEPA (National Environmental Protection Act) regulations were being met. He said that there had been some question as to who would be the responsible party for the SEQRA process related to the undergrounding of utilities along the Project route. Mr. Lamy noted that it had been the County's position that they were not responsible for the undergrounding of utilities and the compliance with the related regulations would be a Town expense. He stated that this had been relayed to the Town and they were now trying to work out the details to be sure that they were complying accurately with SEQRA regulations and to be sure that nothing was left out. Additionally, he said, Mr. Dusek might become involved in the process if they ran into anything the County might be uncomfortable with. Mr. Dusek agreed that the SEQRA process was very important and must be followed to avoid any issues with the Project.

Mr. Lamy continued to outlined the referred pending items as follows:

- 2) The Budget Performance Report issues were addressed earlier in the meeting.
- 3) Mr. Lamy stated that he had not performed any further research regarding the possibility of selling unused DPW equipment online, but that he intended to do so and would keep the Committee abreast of any new information.
- 4) Regarding the impact to the County from the Queensbury Avenue Sanitary Sewer District rate increase, Mr. Lamy advised that he had not determined what the affect on the County would be, but would do so for a future meeting.
- 5) Mr. Lamy advised that he had spoken with John Farrell, retired Director of Civil Service, with respect to the duties of the Handicap Coordinator position and had determined that there was no defined guidance or Civil Service job description for the position. He said that Mr. Farrell had advised that his involvement with the position had basically pertained to parking spaces in public parking lots. Mr. Lamy said that he had no further information on the position and Mr. Payne advised that he intended to contact NYSAC to determine if there was any information on the position from their standpoint. However, he pointed out, the employees of the Fire Prevention and Building Code Enforcement Department were currently responsible for determining handicap compliance in every building they inspected.



Mr. Lamy noted that they could very well already be performing the duties of the Handicap Coordinator unknowingly.

Mr. Strainer entered the meeting at 10:09 a.m.

Mr. Champagne apprised the Committee that he had recently received a call from a Handicap Advocate, whom he had referred to Mrs. Sady, that was interested in knowing what the responsibility of the County was in making sure that handicap accessibility was in place for private properties. Mr. Payne replied that there were no regulations in place requiring handicap accessibility to private properties; only to public buildings.

Discussion ensued with respect to the matter.

As there was no further DPW business to present, Mr. Belden announced that the Committee would take a brief break before beginning the Parks, Recreation & Railroad portion of the meeting.

Committee recessed from 10:12 a.m. to 10:17 a.m.

Mr. Tennyson left the meeting at 10:12 a.m.

Upon reconvening, privilege of the floor was extended to Paul Butler, Director of Parks, Recreation & Railroad, who distributed copies of the agenda to the Committee members. *A copy of the agenda is on file with the minutes.*

Mr. Butler stated that they would begin the agenda review with item 12 and he apprised that Mr. Dusek had information regarding the Rail Station Project to present to the Committee.

Mr. Dusek explained that he and Mr. Butler had been meeting with a working group of Kirsten Gillibrand's staff to discuss the Rail Station Project and how they would tie together Warren County's railroad and interest to the Town of Corinth's railroad and interest. One way, Mr. Dusek stated, would be to develop agreements between the two parties; however, he said, this would only partially solve the problem. He advised that they would still require some sort of joint board or committee that would work together to coordinate usage of the railroad and provide for train operators to use the railway between the two locations. Mr. Dusek said that they had also been exploring with Upper Hudson River Railroad (UHRR) whether or not the train could run to Corinth and begin engaging in activities there. In addition, he noted, the group had been seeking out funds to assist with the railroad operations of both Warren County and the Town of Corinth.

Mr. Dusek advised that the recommendation from Congresswoman Gillibrand's working group was to establish an informal board, eventually becoming the board of a not-for-profit corporation set up by the Town of Corinth, which would then evolve into the board of an Authority for the railroad. The thought behind this process, he explained, was to get those individuals who would eventually become members of the Authority, involved in the project now through the informal board. Mr. Dusek further advised that the informal board would be comprised of one resident member from each of the following: Warren County, the Village of Corinth and the Towns of Corinth, Greenfield, Hadley, Johnsburg, Luzerne, Stony Creek and Thurman. He added a weighted voting system would be incorporated allowing seven votes each for the representatives from Warren County and the Town of Corinth, while the remaining members would each

receive one vote. In theory, Mr. Dusek explained, the Warren County and Town of Corinth representatives would have a higher number of votes because the two groups had the greatest financial interest in the project. He noted that the informal board could also appoint ex-officio non-voting members as it chose from time to time and may appoint key players, such as from the Canadian Pacific Railway (CPR) or from NYSDOT.

Mr. Dusek declared that each member of the informal board would be appointed for a three-year term, although initially each of the members from the Towns of Stony Creek, Hadley and the Village of Corinth would be appointed for a one-year term, those from the Towns of Thurman, Johnsburg and Greenfield for a two-year term and the representatives from Warren County and the Towns of Luzerne and Corinth for three-years to create staggered terms. He said that this design was selected so that Warren County and the Town of Corinth would have the longest standing Committee members, as they had the greatest financial interest in the project. Mr. Dusek stated that the informal board would begin meeting with the working group from Congresswoman Gillibrand's Office; however, he noted, they would eventually become the primary governing body of the railroad. He advised that the Committee now needed to decide whether or not they were in favor of the concept.

Mr. Belden asked why Saratoga County was not being represented in the informal Committee as a considerable number of the Towns involved were from that County and Mr. Dusek replied that because Saratoga County had expressed no interest in the railroad they had not been included.

Mr. Champagne asked if there were any alternate methods available to orchestrate control of the railway, other than through the evolving board and Mr. Dusek replied in the negative. He explained that this method had been chosen to meet the need for some sort of a joint representation and decision making agreement between Warren County and the Town of Corinth in order to make the railway work. Mr. Dusek added that if there was no cooperation from the Town of Corinth they would not be able to use that portion of the railway, which would eventually become a critical component of moving traffic from Saratoga Springs to northern Warren County.

Motion was made by Mr. Merlino and seconded by Mr. Tessier in support of the development of the informal board described by Mr. Dusek.

Mr. Champagne asked why there was no representation from the Saratoga County Economic Development Corporation (SEDC) on the informal board and Mr. Dusek replied that Jack Kelly, of the SEDC, had been one of the key players in the process, but had since ended his employment with the group and was now working as a private consultant. Mr. Dusek added that as he understood the situation, Mr. Kelly would continue to work with the Town of Corinth on the project, albeit on a private level; however, he said, the SEDC had not put forth another representative for the project.

Mr. Belden asked if Warren County would retain ownership of its portion of the railroad if the informal board were developed and Mr. Dusek replied affirmatively. He explained that Warren County would retain its ownership of the railway until such time that an authority was developed, at which point ownership of all of the railway property owned by both Warren County and the Town of Corinth would be conveyed to the Authority.

Mr. Champagne asked where the railway owned by the Town of Corinth ended and Mr. Butler advised that it went to Saratoga, where ownership was picked up by CPR.

Mr. Goodspeed expressed his concern that there was no representation between the Town of Corinth and the City of Saratoga Springs and the possibility that there might be a problem or opposition to a future connection at the Rail Station in Saratoga Springs. Mr. Dusek stated that he did not feel there would be any problems as the Town of Corinth owned the railway up to the portion owned by CPR and the right of usage for that railway could be gained through an agreement with CPR. He pointed out that the railway did not need to be controlled by any Municipality; therefore, he said, they could reach the Saratoga Rail Station without the support of Saratoga County for the City of Saratoga Springs.

Mr. Merlino pointed out that because the railway only touched the Towns of Corinth and Greenfield the railway project had been opposed by many of the Supervisors of Saratoga County as it posed no financial opportunity for many of the Towns of Saratoga County. However, he said, he did think the project would come to fruition through the efforts of an Authority.

Mr. Thomas stated that it was his understanding that Congresswoman Gillibrand's Office was going to contact representatives of the City of Saratoga Springs to bring them on board with the Rail Station Project as it would benefit the City far more than it would Saratoga County.

Discussion ensued with respect to the matter.

Mr. Stec questioned the financial components of any possible agreement with the Town of Corinth regarding improvements to the railroad. Mr. Dusek advised that to his knowledge the agreement had been that Warren County would continue to fund repairs to its portion of the railway, including the addition of a Station in the Town of Hadley, while the Town of Corinth would fund the repairs to its own railway and would also repair the portion crossing Antone Mtn. Rd., the ownership of which was questionable as there had been considerable debate over whether Warren County or the Town owned that section. He added that the Town of Corinth was currently seeking out additional grant funding to make the necessary repairs and were "pulling their weight", so to speak.

Mr. Stec then asked if the Town of Hadley would be contributing to any portion of the project as the proposed Rail Station would be built within their township and Mr. Merlino replied in the negative. Mr. Merlino added that the Town of Hadley had applied for a Smart Growth Grant in the amount of \$250,000 to assist with the Rail Station Project; however, he said, they were unable to become involved further, regardless of their desire to do so. He pointed out that the Town of Corinth also had a considerable investment in the railway as they had paid upwards of \$1.5 million to purchase their section.

Mr. Belden asked when a decision regarding the formation of an informal board was expected and Mr. Dusek responded that Congresswoman Gillibrand's working group was looking for a response prior to their next meeting which was scheduled for March 11<sup>th</sup>. Mr. Dusek added that they were far from the point where the railway could realistically be used to travel to the Town of Corinth, as one of the largest problems was the 10 mph speed limit that their section of track was rated for. He advised that when speaking with John Riegel, of the UHRR, Mr. Riegel had advised that although they could do some runs on this section, they could not do anything on a regular basis because the train could not travel fast enough. In addition, there were also problems with some intersections and the Town of Corinth was seeking grants to address both of these issues, Mr. Dusek stated. He said that if the Committee was agreeable to the concept, they would be voting in favor of the development of an informal board to serve as a working group to address all of these issues and eventually put out joint RFP's for operators of the railway. Mr. Dusek added that this method would also allow the County and Town of Corinth to retain control over the railway until such a point that

the group evolved into an Authority.

Mr. Goodspeed asked Mr. Dusek to clarify whether or not the agreement with the Town of Corinth would allow for a train to travel through Corinth to Saratoga Springs. Mr. Dusek replied that it was his understanding that the railway owned by the Town of Corinth connected with that owned by CPR, which entered Saratoga Springs and an agreement would be required with CPR to approve the train operators chosen in order to use their railway. Mr. Dusek advised that he did not know the ownership specifics regarding the Saratoga Springs Rail Station and could not confirm that use of the Station would be allowed.

Mr. Belden stated that he felt the Committee should look into the implications of the informal board further before giving their consent; however, he said, he did not think that the March 11<sup>th</sup> deadline gave sufficient time to do so. He added that by forming an Authority to control the railway, Warren County was giving away all the time and money they had put into the project, and that should also be considered before giving any answer on the project.

Mr. Dusek stated he was of the opinion that if the Committee wanted more time to consider the matter prior to making a decision, they should do so. He added that a decision was not required by March 11<sup>th</sup>, this was just the date the group had set initially to get answers back from the Board of Supervisors; however, Mr. Dusek said, the Committee should not feel they were being rushed into making a decision, and if they wanted more answers they should take the time to get them. He advised that he would notify Congresswoman Gillibrand's working group that an extension was necessary and he noted that the project had been going on for so long that an extension would not affect it.

Motion was made by Mr. Champagne, seconded by Mr. Stec and carried by majority vote, with Mr. Merlino voting in opposition, to table the previous motion, in favor of the development of the informal board described by Mr. Dusek, for discussion at a future Committee meeting.

Mr. Champagne asked that the ownership and control of the Saratoga Springs Rail Station, as well as the possibility of future use, be determined for discussion at the next Committee meeting. Mr. Belden asked Mr. Butler to contact both the Town of Corinth and the City of Saratoga Springs to invite representatives of both to the next Committee meeting for discussion on the matter.

Mr. Goodspeed stated that Governor Eliot Spitzer had delivered a "State of the Upstate" message that had specifically referenced a push towards economic development in Upstate New York, a need which this Project seemed to comply with as it represented an opportunity to inject a significant economic benefit into the center of the Adirondack Park. He noted the Rail Station Project was primarily a green effort largely built upon the use of an existing infrastructure and it seemed to him that the pressure upon Saratoga Springs needed to come from above, possibly from the Governor himself.

Mr. Dusek stated that the March 11<sup>th</sup> meeting of Congresswoman Gillibrand's workgroup would be an ideal place to express this point and he suggested that Mr. Goodspeed attend the meeting to do just that. Mr. Goodspeed replied that he intended to attend the meeting and would certainly raise this point.

Beginning the agenda review, Mr. Butler advised that item one referred to a request for a resolution authorizing continuation of the agreement between Warren County and the Thurman Connection Snowmobile Club, Inc. for the operation and maintenance of snowmobile trails on County railroad property and storage of a groomer in the Kellogg building, as previously authorized by Resolution Nos. 200 and 500

of 2005.

Motion was made by Mr. Stec, seconded by Mr. Bentley and carried unanimously to approve the request to extend the existing contract with Thurman Connection Snowmobile Club, Inc. for the term commencing April 16, 2008 and terminating April 15, 2011 and the necessary resolution was authorized for the March 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Butler announced that agenda item two pertained to the State Snowmobile Program. He noted that the agenda included a graph detailing snowmobile registrations in New York since 1991. Mr. Butler pointed out that the number of registrations had decreased dramatically since the 2002-2003 season, a decrease that directly corresponded with the reductions in funding received from the State for the Snowmobile Program. In relation to this issue, Mr. Butler advised that agenda item three referred to a letter received from the New York State Office of Parks, Recreation and Historic Preservation, *a copy of which is included in the agenda*, which asserted that the 2007-2008 application for snowmobile trail development and maintenance assistance had been approved for \$59,050 in State funding. Once again, he noted, this figure had decreased considerably as during the 2004-2005 season they had received \$110,000 in State funding. Mr. Butler said that the snowmobile clubs would be receiving less money from the grant, a situation that did not look like it would be getting better as, per State officials, the decreases were all directly related to snow conditions and lack thereof.

Mr. Butler pointed out that the lack of snow could not be blamed for decreased snowmobile registrations as the area had received an abundance for the current season. Mr. Butler replied that although the Warren County area had received a significant amount of snow for the current season, the State had seen a lack of snow in prior years, leading to decreased registrations which directly affected the amount of grant funding available.

Mr. Lamy pointed out that there were a number of snowmobiling enthusiasts who traveled to Canada to partake of their preferred recreation as the weather conditions were more conducive. He said that because the exchange rate on the Canadian dollar was now almost equal to that of an American dollar, it would be interesting to see if this translated into snowmobilers staying closer to home or if money would become a non-issue. Based on this factor alone, Mr. Lamy advised, there might be increased registrations in the coming years.

Mr. Butler advised that he had been notified of a Local Sponsor meeting mandated by the State with regard to the State Snowmobile Program. He said that the meeting was scheduled to be held in Syracuse, NY on March 19<sup>th</sup> and the State would be providing meals. Mr. Butler added that he was requesting permission for both himself and Tim Benway, Recreational Facilities Manager, to attend and also the use of a County vehicle to travel to the meeting.

Mr. Belden suggested that it might be appropriate to bring the presidents of the local snowmobile clubs to the meeting also and Mr. Butler replied that the March 19<sup>th</sup> meeting was for Local Sponsors only and that separate meetings would be held by the State for the snowmobile clubs.

Motion was made by Mr. Champagne, seconded by Mr. Bentley and carried unanimously to authorize Mr. Butler and Mr. Benway to travel to the Local Sponsor meeting to be held on March 19<sup>th</sup> in Syracuse, NY as outlined above.

As a final note on this topic, Mr. Butler apprised that Warren County had 258 miles of snowmobile trails for the 2007-2008 season and he had included a chart reflecting this information in the agenda.

Mr. Butler advised that agenda item four referred to a request to amend Resolution No. 742 of 2007 which authorized Britton Drilling and Blasting Service, Inc. to provide services for installation of a culvert at Up Yonda Farm for a cost of \$3,101. He explained that since the resolution was approved, additional NYSDOT specifications were relayed which required the services to be re-quoted for a total of \$4,949.88; \$1,848.88 more than the initial quotation. Mr. Butler said that the additional funds were available within the existing budget and the \$3,101 initially projected for the project could be moved forward from the 2007 Budget once the original resolution was amended.

Mr. Belden asked if the use of the \$1,848.88 from the existing Budget would lead to shortfalls in other areas and Mr. Butler replied in the negative. He explained that these were funds included in the Parks and Recreation Contract Code which was reserved for costs such as tree removal and other contract services. Mr. Butler added that he did not foresee the use of these funds impacting the Budget for the remainder of the year.

Motion was made by Mr. Stec, seconded by Mr. Goodspeed and carried unanimously to approve the request to amend Resolution No. 742 of 2007 as requested above and the necessary resolution was authorized for the March 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Proceeding to agenda item five, Mr. Butler apprised that the agenda included a request for a new contract with World Wide Power Corporation to provide services for the installation of a generator at the Warren County Fish Hatchery at a cost of \$725, which was available within the existing Budget. He added that in order to maintain the warranty for the generator it had to be installed by a licensed service provider and the County already had contracts in place with this vendor for generator services.

Motion was made by Mr. Stec, seconded by Mr. Tessier and carried unanimously to approve the request for a new contract with World Wide Power Corporation as outlined above and the necessary resolution was authorized for the March 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Butler reminded the Committee that during their prior meeting they had requested that he determine the additional feed costs for 18 month-old fish as opposed to the 12 month-old fish they were releasing currently, and agenda item number six referred to this issue. He advised that he and Mr. Benway had calculated the additional costs to be approximately \$5,500 to retain the fish for an extra six months prior to releasing them. Mr. Belden asked if these additional funds were available within the existing Budget and Mr. Butler replied in the negative. He added that if the Committee was in favor of keeping the fish for a longer period prior to releasing them they would have to do it in 2009 as the current yearlings would be released in April.

In light of the fact that the yearlings were normally released in April, Mr. Champagne asked when the fish would be released if kept for an additional 6 months. Mr. Butler explained that normally they would receive the fish in March, then would keep them for 12 months and release them in the following April. If they were to keep the fish for 18 months, he said, they would then receive the fish in September, retain them for a full 18 months and they would still be released in April.

In order to retain the same Budget, Mr. Stec asked if a better survival rate would be realized by retaining

fewer bigger fish, or by leaving the system as it was with more smaller fish. Mr. Butler replied that in the past they'd experienced problems when retaining too many larger fish as they had become diseased and had required the use of chemicals to clear up. He said that if the Committee wished to achieve a pool of 12-inch 18-month old fish, he would recommend cutting back on the number of fish raised to avoid the disease issues faced in the past, as a minimal amount of water was available to retain the fish. Mr. Champagne noted that he wanted to review additional information on costs and release schedules prior to making any kind of decision on the matter.

Mr. Belden stated that they should leave the program as it was for 2008 and address it again later in the year and the Committee agreed.

Resuming the agenda review, Mr. Butler advised that agenda item seven consisted of a request from Cornell Cooperative Extension to build a rustic log lean-to on the Warren County Fairground property. He said that if the Committee voted in favor of this request he would need to get a permit to work on County property, which would also include the proper insurances for the project. Mr. Butler said that the lean-to would be used for programs and presentations and would serve as a 4-H Boy Scout project.

Mr. Dusek voiced his concern regarding liability, noting that the lean-to might fall down and injure someone, leaving the County responsible. Mr. Butler directed the Committee to the portion of the agenda that included a schematic drawing of the lean-to, which, he said, appeared to be structurally sound and complete. Mr. Dusek then asked if any type of engineering approval had been given for the project and Mr. Butler replied in the negative. Mr. Dusek stated that he was apprehensive about the project because it was located on County property and intended for the use of children. He said that if they did not ensure that it was properly built and injury occurred the County could potentially bear liability and, therefore, he recommended that a contract be developed with Cornell Cooperative Extension to indemnify and defend the County and also provide insurance for use of the site. Mr. Dusek also recommended that an engineering certification should be required to positively label the lean-to as structurally sound.

Motion was made by Mr. Taylor, seconded by Mr. Champagne and carried unanimously to approve the request for Cornell Cooperative Extension to build a lean-to on the County Fairgrounds property, pending the receipt of a contract indemnifying and defending the County and supplying insurance for use of the site, in addition to engineering approval of the project, and the necessary resolution was authorized for the March 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Butler stated that agenda item eight included a request from Joel Beaudin, of Upper Hudson Festivals, Inc. (UHFI), to use the Kellogg property on June 27, 2008 from 7 p.m. to 10 p.m. for a concert performance by Celtic rock band *Hair of the Dog*. He noted that the Kellogg property was not owned by the County, but rather by OSI (Outdoor Space Institute), whom he was currently trying to contact to be sure they had no issue with the event, and a resolution was necessary to approve the request.

Mr. Belden said that if this request was approved they should be sure that UHFI had appropriate insurance for the event. Mr. Taylor added that they should also list Warren County as an additional insured to relieve the County of any liability during the event. Mr. Belden advised that Mr. Butler should bring the request back to the Committee once he'd had the opportunity to be sure that such insurance was available.

Moving to agenda item nine, Mr. Butler apprised that he had been contacted by Jerry Reigel, of UHRR, with a request to use the Biodi Building, located at the site of the proposed Hadley Train Station, as a southern

terminus maintenance and storage facility. He said that they wished to use the Building to store oil and lubrications and possibly for occasional vehicle repairs. Mr. Butler said he had told Mr. Reigel that he would have to discuss the matter with the Committee as he was unsure how long the Biondi Building would be retained before it was removed to make the site functionally complete as a Rail Station. He added that when he had expressed this uncertainty, Mr. Reigel had advised that he would like to use the Building for as long as possible, but would remove UHRR belongings whenever the Building was scheduled to be removed.

Mr. Belden stated that if the Committee voted in favor of this request, they should secure a contract alleviating the County of liability issues as an oil spill could prove very costly.

Mr. Butler asked if the contract between the County and UHRR required that the use of Rail Station facilities be turned over to UHRR as they were obtained and Mr. Dusek replied in the negative. Mr. Dusek added that because the Biondi Building and property were purchased with Federal funds they should determine a reasonable rate of return for use of the Building. Mr. Belden directed Mr. Butler to contact Mr. Reigel to discuss the need for a contract alleviating the County of liability issues, as well as to determine a reasonable rate for use of the Building, for discussion at a future Committee meeting.

Mr. Butler apprised the Committee that two grant funding opportunities were available in relation to the Rail Station Project, if they chose to partake of them. He explained that applications to Senator Elizabeth O'C Little, for the NY State Senate Initiative Request, and Assemblywoman Teresa Sayward, for the NY State Assembly Initiative Request had been prepared and were due by March 1<sup>st</sup>. Mr. Butler said that he had spoken to representatives from both offices and had been advised that they should apply for the total of \$2 million in grant funding, even though that total most likely would not be received, because the groups wanted to review the full scope of the Project. He noted that a resolution was necessary to authorize submission of the grant applications he had prepared, therefore, a request was included in the agenda.

Motion was made by Mr. Tessier, seconded by Mr. Taylor and carried unanimously to approve the request to apply for State grant funding in the amount of \$2 million through the NY State Senate Initiative Request and the NY State Assembly Initiative Request for \$2 million and the necessary resolutions were authorized for the March 21<sup>st</sup> Board meeting. *A copy of the requests are on file with the minutes.*

As per the previous request of the Committee, Mr. Butler advised that agenda item 11 referred to a listing of costs incurred for the Rail Station Project since its acquisition in 1994. He said that from his calculations he had derived a cost of approximately \$1.47 million and the attachment included in the agenda gave a detailed breakdown of these costs, which he reviewed with the Committee.

Mr. Merlino asked if the \$1.47 million total consisted solely of County expenditures and Mr. Butler replied affirmatively. He added that the majority of this total was attributed to the \$561,475 paid for the railway acquisition in 1994 and another \$500,000 contributed for Rail Station improvements. Mr. Merlino argued that the total reflected funds spent for the Barton Mines Building and improvements to the Kellogg property, which were not necessarily a part of the Rail Station Project, and he asked if they should be included. Mr. Champagne noted that they should be included because the expenses would not have been incurred if there were no Rail Station Project. Mr. Butler advised that the idea behind the purchase of the Barton Mines Building had been to upgrade it for use as a gift shop and ticket sales for the train; therefore, it had been included as a cost of the Rail Station Project. Mr. Merlino then questioned the \$500,000 included for Train Station improvements and Mr. Butler advised that this was the Local Share of the grant funding received for the project. Mr. Belden asked if this \$500,000 figure included the \$430,000 expenditure approved at the



last Board meeting and Mr. Butler replied affirmatively. He added that if additional stations were approved the costs would increase.

Mr. Dusek apprised that he had one matter for discussion not included on the agenda. He explained that Resolution No. 790 of 2007 had approved a contract with UHRR authorizing the Thomas the Tank event as a four day attraction and also to waive the \$1 ticket fee charged by the County for this event. He said that UHRR now wanted the event to last for six days and an amendment was required to extend the length of the event and to continue to waive the \$1 ticket fee, if the Committee was agreeable to the request.

Mr. Champagne stated that due to the popularity of the event, it would seem that it made a considerable amount of money and he said that he did not understand why the County would continue to waive the \$1 per ticket fee. Mr. Dusek said that when the contract was originally approved, it was known that UHRR was not required to bring the Thomas the Tank attraction to North Creek and their argument had been that due to the costs incurred, they required the cost reduction in order to make the event feasible.

Mr. Goodspeed apprised that because his wife had an employment relationship with UHRR, as she was involved with the marketing for the event, he would abstain from voting on the issue. However, he said, he wished to make an informational comment in advising that the attendance for the event had decreased dramatically from the first to the second year of the event and was expected to decrease yet again for 2008. Mr. Goodspeed said that the event might not be as financially successful as it appeared to be because UHRR was contractually obligated to pay a significant percentage of each ticket price to Hit Entertainment, who were responsible for Thomas the Tank. He further noted that the event seemed to be decreasing in popularity and was vastly affected by gasoline prices.

Discussion ensued with respect to the matter.

Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried by majority vote, with Mr. Goodspeed abstaining, to amend Resolution No. 790 of 2007 to extend the dates of the Thomas the Train event to six days and to continue to waive the \$1 ticket fee.

Concluding the agenda review, Mr. Butler presented a listing of the items pending from prior Committee meetings, which he detailed as follows:

- 1) With respect to the sale and removal of the Biondi Building, Mr. Butler asked the Committee how they wished to proceed in this matter. He said that they needed to determine if the Building needed to be removed in order for the Hadley Rail Station to become functionally complete. Mr. Butler suggested that with the Committee's direction he could contact the project consultants to determine if the Building should be removed in order to proceed in building the platform for the Rail Station at that site. It was the consensus of the Committee that Mr. Butler should contact the project engineer to determine whether or not the Biondi Building had to be removed prior to beginning the work for the Hadley Rail Station.
- 2) Mr. Butler advised that no further action was necessary regarding the Committee's decision to rescind the resolution relative to the construction of the Thurman Rail Station and this item could be removed from the pending items list.
- 3) Regarding the determination as to whether or not Occupancy Tax revenues could be used to pay the fixed expenses of the Warren County Association for Snowmobile Clubs, Mr. Butler said that Mr. Dusek continued to research this matter and he had no further update for the Committee.

- 4) With respect to the issue of the age of fish used for stocking Warren County waters, Mr. Butler reminded the Committee that this item was discussed earlier in the meeting and could now be removed from the listing of pending items.

As this concluded the Parks, Recreation & Railroad portion of the Public Works Committee meeting, Mr. Belden called for the Committee to recess at 11:16 a.m.

The Committee reconvened at 1:00 p.m. to begin the Airport portion of the Public Works Committee meeting.

Mr. Haskell entered the meeting at 1:00 p.m., Messrs. Merlino and Goodspeed did not return.

Privilege of the floor was extended to Mr. Lamy, who distributed copies of the Airport agenda to the Committee members. *A copy of the agenda is on file with the minutes.*

Mr. Lamy began by apprising the Committee that he and Mr. Tennyson had spent a full day during the prior week with Marshall Stevens, former Airport Manager, and representatives of C&S Engineers reviewing the listing of pending projects and familiarizing themselves with them. He noted that construction on the Runway 1 Safety Area Mitigation Project should begin during the following week, weather permitting.

Mr. Lamy directed the Committee members to page two of the agenda which reflected a request for a new service contract with SSI for the Runway Weather Information System (RWIS). He noted that SSI was the service contractor for the repair of one of the remote processing units on the RWIS, and was also the installer of the equipment, which was proprietary. Mr. Lamy added that they had been using this vendor and it had been brought to their attention by the Purchasing Agent that all of these types of service agreements had to be embodied in a contract and the resolution request was to authorize this contract.

Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried unanimously to approve the request for a new contract with SSI as outlined above and the necessary resolution was authorized for the March 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

A request for a contract with Anvil Fence was included on page five of the agenda, Mr. Lamy apprised. He said a service contract with Anvil Fence was required as they provided the service for the gate openers at the Airport. Mr. Lamy explained that he had provided incomplete information with the request, in hopes that the Committee would advance the resolution with the understanding that he would have the remainder of the information prior to the March 21<sup>st</sup> Board meeting.

Mr. Belden asked if the contract pricing would be the same as it had been for 2007 and Mr. Lamy replied that he was unsure. He said that he would have this information prior to the March Board meeting.

Motion was made by Mr. Tessier, seconded by Mr. Stec and carried unanimously to approve the request for a new contract with Anvil Fence as outlined above and the necessary resolution was authorized for the March 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Lamy stated that page six of the agenda included a request to authorize the Chairman of the Board to execute a grant application for reimbursement of a land purchase for the TRA-Tom Parcel. He distributed a map to each of the Committee members, *a copy of which is on file with the minutes*, that reflected the

placement of the parcel. Mr. Lamy advised that the property had been purchased and they now had the opportunity to submit a grant application to the FAA (Federal Aviation Administration) for reimbursement of the costs of this parcel.

Motion was made by Mr. Haskell, seconded by Mr. Tessier and carried unanimously to approve the request to authorize the Chairman of the Board to execute a FAA grant application for reimbursement of the purchase costs of the TRA-Tom Parcel and the necessary resolution was authorized for the March 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Agenda page nine, Mr. Lamy advised, reflected a request to ratify the actions of the Chairman of the Board in executing the grant application submitted to NYSDOT under the Bond Act Program for a new electric service building and a back-up generator. He said that the projected costs of these additions was \$300,000 and the grant would pay for \$270,000, while the Local Share would be \$30,000.

Motion was made by Mr. Champagne, seconded by Mr. Stec and carried unanimously to approve the request to ratify the actions of the Chairman of the Board in executing a grant application submitted to NYSDOT as outlined above and the necessary resolution was authorized for the March 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Lamy stated that the next agenda issue pertained to Budget issues facing the Airport, the first of which involved funding required for liability insurance. He explained that during the 2008 Budget process, \$5,000 had been included for the liability insurance premium and after the Budget was adopted the insurance coverage was changed to increase the limits of liability, leading to additional insurance costs of approximately \$6,300. Mr. Geraghty pointed out that this change had been made at the recommendation of the County's new Insurance Broker to increase the limit of liability from \$5 million to \$20 million, including \$5 million for hangarkeepers liability coverage.

Mr. Belden advised that the premium should be paid from the existing Budget and they would address any shortfalls at the end of the year.

Mr. Haskell asked why the insurance increase was made and Mr. Dusek replied that during the review of the County's insurance coverages, both himself and the Broker had been of the opinion that the Airport was under-insured and posed a significant risk to the County. He added that because the original policy had a limit of \$5 million any loss incurred over that amount would have to be paid with taxpayer dollars and in light of the types of jets entering and leaving the Airport, it was recommended that the insurance be increased. Mr. Dusek advised that they had realized insurance premium savings in other areas which made the additional costs for this policy feasible. Mr. Haskell asked if the savings obtained for other Departments could be transferred to the Airport Budget and Mr. Dusek advised that it was legally permissible to transfer funds between Departmental Budgets if the monies were available. Mr. Belden asked Mrs. Sady to review the availability of funds in those Departments that had realized insurance premium savings and report her findings to the Committee at their next meeting.

Mr. Payne reminded the Committee that additional insurance had been required in the past for flying events held at the Airport and questioned whether the additional coverage purchased would negate the need for such policies in the future, to which Mr. Dusek replied in the negative. Mr. Tessier advised that under normal circumstances the performing group was responsible for insuring the Airport during the event. However, he said, in the case of the gliding exposition, noted by Mr. Payne, the group had already reserved

accommodations at the Queensbury Hotel and when the County declined to pay for the insurance the group backed out of the event, leading to complaints from the Queensbury Hotel citing the tremendous loss of business, at which point the County had made arrangements to provide the insurance for the event.

Mr. Lamy advised that a second budget issue had surfaced in that the 2008 Airport Budget request had been reduced by \$8,000, funding that had been intended for the rental of light towers and portable restrooms for the Adirondack Balloon Festival. He said that last year in a meeting with Mr. Tessier, Mr. Stevens and the organizers of the Festival, there had been talk of whether or not the County wanted to sponsor a Sunday afternoon launch and also how much could be saved if they chose to cancel it. Mr. Lamy stated that in reviewing the figures from the 2007 Balloon Festival, it appeared that approximately \$5,000 could be saved by cancelling the Sunday afternoon balloon launch. He said that he wanted to present this information to the Committee now so that if they chose to curtail the launch, the decision could be made before advertising efforts for the event began.

Mr. Tessier pointed out that the Sunday afternoon balloon launch caused a lot of problems as cleanup and breakdown had to be delayed until the event concluded. Additionally, he noted, only a minimal number of balloonists stayed for the launch and he was in favor of cancelling it.

Motion was made by Mr. Champagne, seconded by Mr. Haskell and carried unanimously to cancel the Sunday afternoon balloon launch of the Adirondack Balloon Festival at the Airport.

Moving to the next agenda item, Mr. Lamy updated the Committee on the status of the search for an Airport Manager. He advised that the application deadline had now passed and they had received 16 applications, which had been screened and both telephone and personal interviews had been conducted. Mr. Lamy said that they were now at a point where Committee direction was necessary as many of the applicants were being dissuaded by the notion that the County was considering privatizing the Airport, which would make the Airport Manager position obsolete. He added that if the Committee desired to continue to study the privatization of the Airport, he felt that an alternate pool of candidates had to be developed as the position would not be permanent. Mr. Lamy stated that it would be difficult to continue to determine the right person for the position without some direction from the Committee as to the future of the Airport.

Mr. Tessier advised that at a prior meeting they had asked Leonard Fosbrook, President of the Warren County Economic Development Corporation, to review the matter and determine if privatization was the right choice for the Airport. He said that Mr. Fosbrook's report had not favored privatization for many reasons, the first of which was that, although the Airport was viable for economic development from the County's perspective, it was not a profitable business and he did not foresee anyone from the private sector wanting to overtake it based on the amount of money required to run it versus the lack of revenues generated.

Mr. Haskell pointed out that the results of the privatization of the City of Glens Falls' Sewer Department had not been favorable and he would hate to see the same thing happen to the Warren County Airport. He said that although, in theory, privatization seemed to be a good opportunity for the County to save money, he did not think that it was appropriate for the Airport. Mr. Haskell stated that if they wanted the Airport to remain open, it should continue to be run by the County.

Mr. Tessier stated that the Airport was an important part of the community and there were large companies

such as Anglo Dynamics who depended on the Airport, as well as Glens Falls Hospital who frequently used the Airport for organ transplants. He said that there was no one who could maintain the Airport and keep it in the same condition as the County; therefore, it should not be privatized.

Mr. Monroe entered the meeting at 1:15 p.m.

Mr. Champagne recalled that Mr. Fosbrook's report had indicated some disharmony between the FBO (Fixed Base Operator) and the Lease Agent and it was his opinion that if these two agencies had difficulty working together a third party might only make the situation worse.

Discussion ensued with respect to the matter.

Motion was made by Mr. Bentley, seconded by Mr. Taylor and carried unanimously for the Airport to continue to be managed by the County and to end all discussion of privatization as the option was determined to be unfeasible at this time.

Messrs. Thomas and VanNess entered the meeting at 1:19 p.m.

Mr. Lamy advised that on page ten of the agenda he had included a listing of the items pending from prior Committee meetings; however, he said, he was not prepared to address them. He noted that Mr. Stevens had spent a considerable amount of time working with himself and Mr. Tennyson in an effort to develop a temporary plan to provide direction at the Airport upon his departure and until a replacement could be found. Mr. Lamy stated that the sooner they could fill the Airport Manager position the better off they would be. He added that Mr. Stevens had put an amazing amount of work into managing the Airport and had handled the operation very fluidly.

Mr. Dusek advised that an executive session was necessary to discuss pending litigation and Mr. Lamy noted that during this session he could also answer any questions surrounding the candidates for the Airport Manager position.

Motion was made by Mr. Haskell, seconded by Mr. Tessier and carried unanimously that executive session be declared pursuant to, Sections 105(d) and (f) of the Public Officers Law.

Executive session was held from 1:20 p.m. to 1:46 p.m.

Mr. O'Connor entered the meeting at 1:30 p.m during the executive session.

Upon reconvening, Mr. Belden announced that no action was necessary pursuant to the executive session. He then proclaimed that anyone present at Committee meetings, including Supervisors and members of the press, must keep their cellular phones turned off or quiet as they were becoming a distraction.

As there was no further business to come before the Committee, on motion made by Mr. Stec and seconded by Mr. Bentley, Mr. Belden adjourned the meeting at 1:47 p.m.

Respectfully submitted,  
Amanda Allen, Sr. Legislative Office Specialist